

TENNESSEE REGULATORY AUTHORITY



Melvin Malone, Chairman
Lynn Greer, Director
Sara Kyle, Director

460 James Robertson Parkway
Nashville, Tennessee 37243-0505

October 5, 1999

Mr. Jon E. Hastings
Boult, Cummings, Conners & Berry
414 Union Street, Suite 1600
Nashville, Tennessee 37219

Mr. Guy Hicks
BellSouth Telecommunications
333 Commerce Street
Nashville, Tennessee 37201-2300

In Re: Adoption of MCImetro/BellSouth Interconnection Agreement (Except Attachment VIII) and Request for Approval of Brooks/BellSouth Agreement. Docket No. 99-00583.

Dear Sirs:

On September 7, 1999, the Authority issued a data/change request in the above docket. Judging from the responses received from both parties, the initial request was not communicated well. We therefore issue this letter in order to clarify and state more precisely our initial request.

On August 11, 1999, Brooks Fiber and BellSouth submitted the above Agreement to the TRA for approval pursuant to Section 252(e) of the Act. The filing contains an Exhibit 2 which was retyped, and dated 5/6/99, and is intended to replace Attachment VIII of the MCImetro/BellSouth Interconnection Agreement in its entirety.

The Staff has examined the Agreement, including Exhibit 2, in the context of how it comports with regulatory/telecommunications environment changes that may have occurred since the original MCImetro/BellSouth Agreement was signed. This was deemed proper since this section was completely re-typed. As a result, the Staff has identified a change that they maintain needs to be made to the Agreement so it will more closely reflect the conditions as they exist. This change is listed below:

- 1) Section 1.1.2.2 of Exhibit 2 refers to a jointly developed detailed service restoration and disaster recovery plan to be in effect by year end 1997. The original Agreement, between MCImetro and BellSouth, was approved by the Authority with this

stipulated condition. The Staff maintains that this condition is very important since the restoration of service to the customers of both parties, as well as the public welfare, could suffer materially in the event of a disaster if such a plan is not in place. Therefore, the lack of a service restoration and disaster recovery plan is not consistent with the public interest. In this regard, please answer the following questions and/or supply the information requested:

- a) Has a jointly developed detailed service restoration and disaster recovery plan been developed and implemented by BellSouth and MCImetro?
- b) If it has, the fully retyped Attachment VIII, dated 5/6/99, of the Brooks Agreement should indicate this and Brooks should adopt this plan if it is deemed adequate for their purposes.
- c) If a joint MCImetro-BellSouth detailed restoration and disaster recovery plan has been developed, please forward a copy of the plan to the Staff for review.
- d) If a joint MCImetro-BellSouth detailed service restoration and disaster recovery plan has not been developed, or is not in effect, please so state and furnish a new effective date or date of estimated completion.

Please provide a response to the above request by October 15, 1999. If you have any questions concerning this matter please call Carsie Mundy or Darlene Standley in the Telecommunications Division.

Yours truly,

A handwritten signature in black ink, appearing to read "D. Waddell", with a stylized initial "D" and a long, sweeping underline.

David Waddell
Executive Secretary